IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 831 of 2007()

C.R. NO. 109/06 OF NEDUMANGADU EXCISE RANGE

PETITIONER/ACCUSED

KUMARI, AGED 47 YEARS,
W/O.CHANDRAN, SUNITHA BHAVAN,
THEVIYODE, KOTTAKKAKOM MURI,
VITHURA VILLAGE, NEDUMANGADU.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 831 OF 2007

DATED: 13-02-2007

O R D E R

Petitioner, a lady, who is the 2nd accused in C.R.No. 109/2006 of Nedumangadu Excise Range for an offence punishable under Section 8(1) and (2) of the Abkari Act for allegedly having been found in joint possession along with her husband (A1) 10 litres of illicit arrack on 23-10-2006 inside Amma Hotel run by the petitioner and her husband, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. It is too early to accept the petitioner's contention that she had nothing to do with the contraband arrack. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within 10 days from today, the same shall be considered and disposed of preferably on the same date on which it is filed bearing in mind the decision of this Court in **Sukumari v. State of Kerala - 2001 (1) KLT 20.**

With the above observation this application is dismissed.

Sd/- **V.RAMKUMAR, JUDGE.**

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